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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,028	05/11/2001	Satoru Yamaguchi	P 280085 ND-J048-US	5054
23117	7590	12/16/2003	EXAMINER	
NIXON & VANDERHYE, PC 1100 N GLEBE ROAD 8TH FLOOR ARLINGTON, VA 22201-4714			STAICOVICI, STEFAN	
		ART UNIT	PAPER NUMBER	
		1732		

DATE MAILED: 12/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

10

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**Commissioner for Patents**

1. The amendment document filed on October 9, 2003 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 3, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

The amendment filed on October 9, 2003 does not comply with the requirements of 37 CFR 1.121 because the claim status indicator of claims 1 and 19 is incorrect. Specifically, the claim status indicator of claims 1 and 19 currently reads "original", whereas it should read "currently amended" because both claims 1 and 19 are being amended by the amendment document filed October 9, 2003 (see pages 1 and 8 of the amendment filed October 9, 2003). Amendments to the claims filed on or after July 30, 2003 must comply with 37 CFR 1.121.

2. Since the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefan Staicovici, Ph.D. whose telephone number is (703) 305-0396 (until December 22, 2003) and (571) 272-1208 (after December 23, 2003). The examiner can normally be reached on Monday-Friday 8:00 AM to 5:30 PM and alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael P. Colaianni, can be reached at (703) 305-5493 (before December 22, 2003) and (571) 272-1196 (after December 23, 2003).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.

Stefan Staicovici, PhD

*Stefan Staicovici* 12/14/03  
Primary Examiner

AU 1732  
December 14, 2003